

On March 12, 1934, no claimant having appeared for the property, judgment of forfeiture was entered and it was ordered by the court that the product be destroyed by the United States marshal.

M. L. WILSON, *Acting Secretary of Agriculture.*

22120. Adulteration of candy. U. S. v. 9 Pounds and 21 Boxes of Candy. Default decrees of condemnation. (F. & D. nos. 31773, 31791. Sample nos. 54469-A, 54470-A.)

These cases involved shipments of candy which contained alcohol.

On December 22 and December 28, 1933, the United States attorney for the District of Columbia, acting upon reports by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, libels praying seizure and condemnation of 9 pounds and 21 boxes of candy at Washington, D.C., alleging that the article had been shipped from Baltimore, Md., into the District of Columbia; that a portion had been shipped under the name of M. Fineblum on or about November 21, 1933, that a portion had been shipped under the name of the M. Fineblum Candy & Tobacco Co., on or about December 2, 1933, and that it was adulterated in violation of the Food and Drugs Act. The article was labeled in part "Mlle Modiste Confiseur Rue St. Honore, Paris."

It was alleged in the libels that the article was adulterated under the provisions of the act relating to confectionery in that it contained spirituous liquor, namely, alcohol.

On March 22, 1934, no claimant having appeared for the property, judgments of condemnation were entered and it was ordered by the court that the product be disposed of by the United States marshal in such manner as would not violate the Federal Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

22121. Adulteration of canned huckleberries. U. S. v. 97 Cases of Canned Huckleberries. Default decree of condemnation. (F. & D. no. 31774. Sample no. 54467-A.)

This case involved a shipment of canned huckleberries which were found to contain maggots.

On December 22, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 97 cases of canned huckleberries at Washington, D.C., alleging that the article had been shipped in interstate commerce on or about October 2, 1933, by the Comly Flanigen Co., from Philadelphia, Pa., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Lyric Brand Huckleberries."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On March 26, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be disposed of by the United States marshal in such manner as would not violate the Federal Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

22122. Adulteration of ladled butter. U. S. v. 65 Tubs of Butter. Default decree of condemnation. (F. & D. no. 31787. Sample nos. 54471-A, 54472-A.)

This case involved a shipment of ladled butter which was found to contain mold, maggots, flies, hairs, larvae, excreta, and other extraneous matter in samples examined.

On December 28, 1933, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 65 tubs of butter at Washington, D.C., alleging that the article had been shipped in interstate commerce, on or about June 28, 1933, by the J. W. Buffington Co., from Baltimore, Md., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "No. 1 Ladles 65 Lbs. The J. W. Buffington Co. Baltimore."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy and decomposed animal substance.

On March 22, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be disposed of by the United States marshal in such manner as would not violate the Federal Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

22123. Adulteration of dried peaches. U. S. v. 100 Cases of Dried Peaches. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. no. 31813-A. Sample no. 45167-A.)

This case involved a shipment of dried peaches which were in part insect-infested and dirty.

On January 5, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of 100 cases of dried peaches at Washington, D.C., alleging that the article had been shipped in interstate commerce, on or about December 4, 1933, by Rosenberg Bros. & Co., of San Francisco, Calif., from Oakland, Calif., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Approval Brand California Recleaned Fancy Peaches."

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy vegetable substance.

On March 19, 1934, Rosenberg Bros. & Co., claimant, having admitted the allegations of the libel and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the claimant upon payment of costs and the execution of a bond in the sum of \$500, conditioned that it should not be sold or disposed of contrary to the provisions of the Federal Food and Drugs Act and all other laws.

M. L. WILSON, *Acting Secretary of Agriculture.*

22124. Adulteration of butter. U. S. v. 5 Kegs of Butter. Default decree of condemnation. (F. & D. no. 31814. Sample no. 54475-A.)

This case was based on a lot of butter which was found to contain parts of flies, larvae and eggs of flies, rodent hairs, mold, and other filth.

On January 5, 1934, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the Supreme Court of the District of Columbia, holding a district court, a libel praying seizure and condemnation of five kegs of butter at Washington, D.C., alleging that the article was in possession of the Terminal Refrigerating & Warehousing Corporation, Washington, D.C., stored for Morris Bressler, of Washington, D.C., that it was being offered for sale in the District of Columbia, and that it was adulterated in violation of the Food and Drugs Act.

It was alleged in the libel that the article was adulterated in that it consisted wholly or in part of a filthy and decomposed animal substance.

On March 22, 1934, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be disposed of by the United States marshal in such manner as would not violate the provisions of the Food and Drugs Act.

M. L. WILSON, *Acting Secretary of Agriculture.*

22125. Adulteration of canned apple butter. U. S. v. 246 Cases of Canned Apple Butter. Default decree of destruction. (F. & D. no. 31817. Sample no. 50488-A.)

This case involved a shipment of canned apple butter which was found to contain segments of the bodies of insects, insect larvae, rodent hairs, and mold.

On or about January 12, 1934, the United States attorney for the Southern District of Ohio, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 246 cases of canned apple butter at Columbus, Ohio, consigned about October 9 and October 14, 1933, alleging that the article had been shipped in interstate commerce by the Webster Canning & Preserving Co., from Webster, N.Y., and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "New York State Products Pure Apple Butter * * * Packed by Webster Canning & Preserving Co., Webster, N.Y."

It was alleged in substance in the libel that the article was adulterated in that it consisted in part of a filthy substance.